

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR (1) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET; AND (2) (SOUTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED SHED IN THE R-1AAAA (SINGLE-FAMILY DWELLING DISTRICT)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

**Agenda Date** 1/26/04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

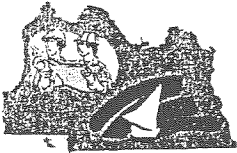
1. **APPROVE** THE REQUEST FOR (1) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET; AND (2) (SOUTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED SHED IN THE R-1AAAA (SINGLE-FAMILY DWELLING DISTRICT), ROBERT AND DEDRA GOOD, APPLICANTS; OR
2. **DENY** THE REQUEST FOR (1) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET; AND (2) (SOUTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED SHED IN THE R-1AAAA (SINGLE-FAMILY DWELLING DISTRICT), ROBERT AND DEDRA GOOD, APPLICANTS; OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #5, McLain)

(Francisco Torregrosa, Planner)

<b>GENERAL INFORMATION</b>	ROBERT AND DEDRA GOOD, APPLICANTS 228 CAPRI COVE PLACE SANFORD, FL 32771	R-1AAAA (SINGLE-FAMILY DWELLING DISTRICT)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANTS PROPOSE TO CONSTRUCT A SHED, THAT WOULD ENCROACH 8 FEET INTO THE MINIMUM 10 FOOT WEST AND SOUTH SIDE YARDS.</li> <li>• THE SHED IS ALSO PROPOSED TO BE PLACED WITHIN A DRAINAGE EASEMENT, DEDICATED TO SEMINOLE COUNTY.</li> <li>• THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT:               <ul style="list-style-type: none"> <li>○ NO SPECIAL CONDITIONS EXIST, WHICH ARE PECULIAR TO THE PROPERTY OR PROPOSED SHED.</li> <li>○ BASED ON THE ATTACHED SITE PLAN, THE</li> </ul> </li> </ul>	

	<p>PROPOSED SHED COULD BE RELOCATED TO THE NORTHEAST TO COMPLY WITH THE SIDE YARD SETBACKS. THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.</p> <ul style="list-style-type: none"><li>○ THE REQUESTED VARIANCE WOULD BEGIN A TREND OF SIDE YARD ENCROACHMENT WITHOUT THE CLEAR DEMONSTRATION OF A HARDSHIP.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUESTED AND MAKE THE APPROPRIATE FINDINGS OF FACT, UNLESS A HARDSHIP CAN BE DEMONSTRATED BY THE APPLICANT. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED SHED AS DEPICTED ON THE ATTACHED SITE PLAN AND WOULD BE CONDITIONED UPON THE VACATION OF THE DRAINAGE EASEMENT BY THE BOARD OF COUNTY COMMISSIONERS; AND</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
1101 EAST FIRST STREET  
SANFORD, FL 32771  
(407) 665-7444 PHONE (407) 665-7385 FAX

APPL. NO. BV 2003-189

### APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

#### APPLICATION TYPE:

- ☒ **VARIANCE** Back yard setback variance from 10 feet to 2 feet for storage shed from both rear property lines.
- ☐ **SPECIAL EXCEPTION** NA
- ☐ **MOBILE HOME SPECIAL EXCEPTION** NA
- ☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT  
MOBILE HOME IS FOR \_\_\_\_\_  
YEAR OF MOBILE HOME \_\_\_\_\_ SIZE OF MOBILE HOME \_\_\_\_\_  
ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_  
PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN \_\_\_\_\_  
MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Robert and Dedra Good	
ADDRESS	228 Capri Cove Place	
	Sanford, Fla 32771	
PHONE 1	407-324-0975	
PHONE 2	407-333-9115 (cell 321-363-6911)	
E-MAIL	bgood1@cfl.rr.com	

PROJECT NAME: NA

SITE ADDRESS: 228 Capri Cove Place Sanford, FL 32771

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: see site plan

SIZE OF PROPERTY: 1/2 acre(s) PARCEL I.D. 25-19-29-504-0000-0100

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on JAN 26, 2004 (6 PM) (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

SIGNATURE OF OWNER OR AGENT\*

DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

# ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

## APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

### PROCESSING:

FEE: \$150 COMMISSION DISTRICT 5 FLU/ZONING LDR/R1AAM

LOCATION FURTHER DESCRIBED AS LOCATED SW OF CUL-DE-SAC ON CAPRI COVE APPROX

770 SOUTH OF THE INTERSECTION OF ORANGE AVE  
NAPRI COVE

PLANNER VB

DATE NOV. 20, 2003

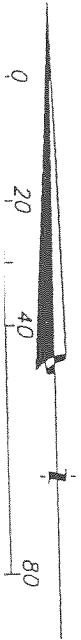
SUFFICIENCY COMMENTS



"LAND DESCRIPTION"

LOT 10, CAPRI COVE, ACCORDING TO THE PLAT THEREOF  
AS RECORDED IN PLAT BOOK 54, PAGES 63 & 64, OF THE PUBLIC RECORDS  
OF SEMINOLE COUNTY, FLORIDA.

"BOUNDARY AND AS-BUILT SURVEY"  
(NOT A BOUNDARY SURVEY)



Capri Cove Place  
(46' R/W PER PLAT)

C1  
 $\Delta = 36^{\circ}54'27''$   
 $R = 44.00'$   
 $L = 28.34'$

FND. 5/8 I.R.C.  
L.B. #5610  
EL. 68.6' X

N 00°12'47" W

81.51'

FND. 4X4 C.M.  
R.L.S. #2774  
X EL. 71.2'


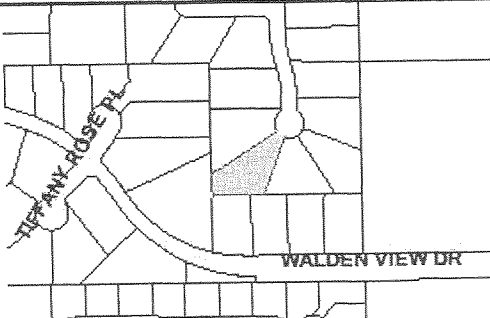
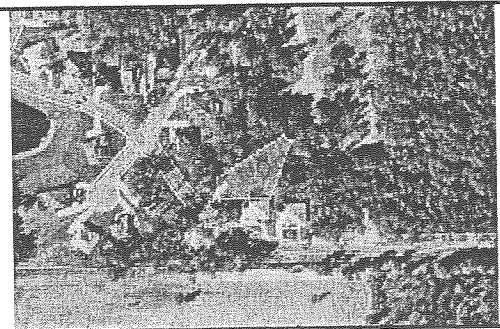
S 89°40'25" W 129.26'

THE GLADES ON SYLAN LAKE PHASE 2  
P.B. 52, PGS. 65 - 69

FND. 1/2 I.R.C.  
L.B. #6393  
X EL. 74.4'

NOTE: ALL CORNERS FOUND  
L.B. #5610 (UNLESS OTHERWISE NOTED)

ABBREVIATIONS

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH	◀ ◁ Back ▷ ▶																																																						
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																																											
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 25-19-29-504-0000-0100      Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: GOOD ROBERT E &amp; DEDRA L      Exemptions: 00-HOMESTEAD</p> <p>Address: 228 CAPRI COVE PL</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address: 228 CAPRI COVE PL SANFORD 32771</p> <p>Subdivision Name: CAPRI COVE</p> <p>Dor: 01-SINGLE FAMILY</p>			<p align="center"><b>2004 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$227,409</p> <p>Depreciated EXFT Value: \$15,536</p> <p>Land Value (Market): \$55,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$297,945</p> <p>Assessed Value (SOH): \$297,945</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$272,945</p>																																																								
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<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																											

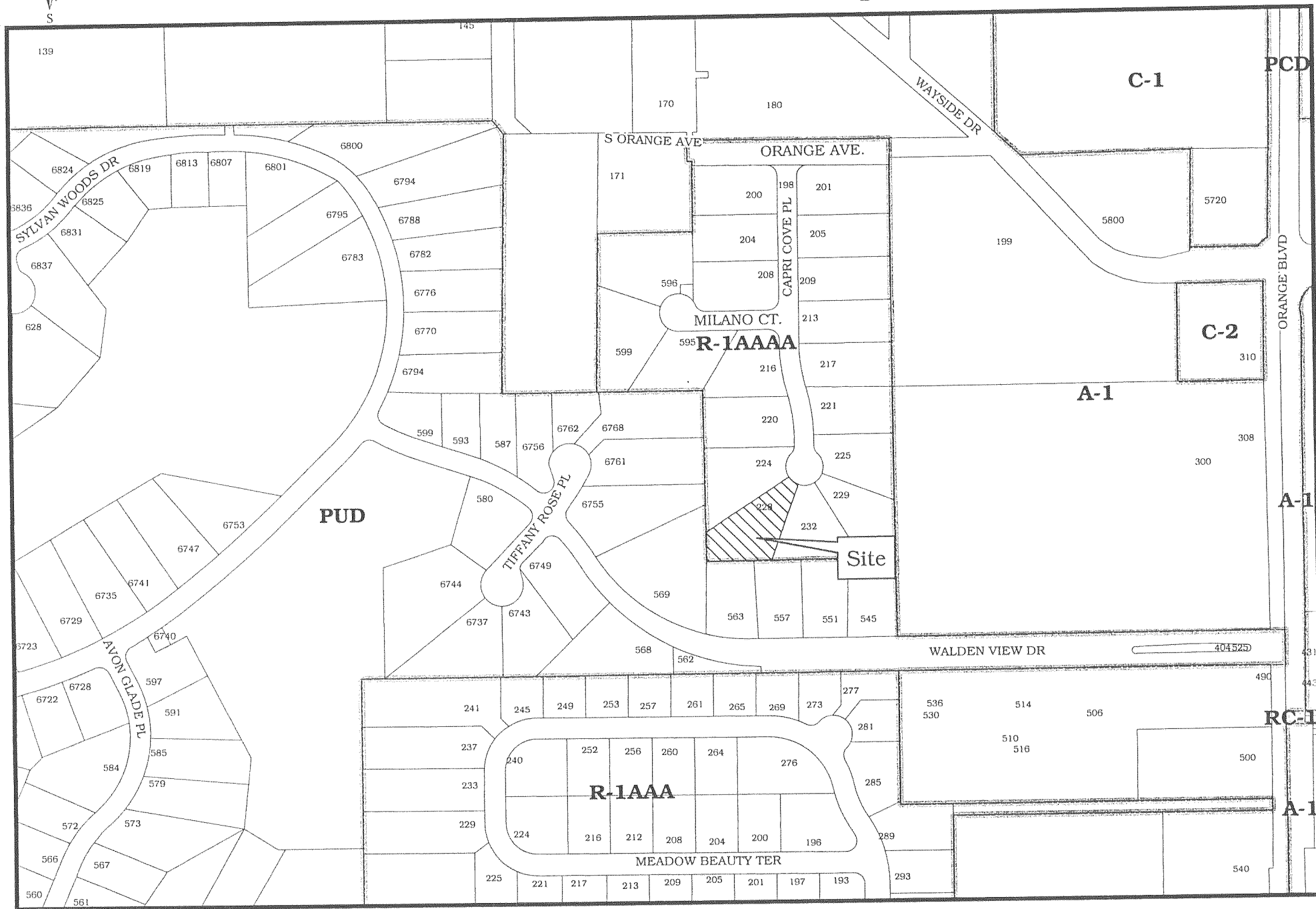
BACK

PROPERTY APPRAISER  
HOME PAGE

CONTACT



# Robert & Dedra Good 228 Capri Cove Place



0 150 300 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10 CAPRI COVE PB 54 PGS 63 & 64

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** ROBERT AND DEDRA GOOD  
228 CAPRI COVE PLACE  
SANFORD, FL 32771

**Project Name:** CAPRI COVE PLACE (228)

**Requested Development Approval:**

(1) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET, AND (2) (SOUTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED SHED.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa  
1101 East First Street  
Sanford, Florida 32771



### Order

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property:

(a) The variance granted shall apply only to the proposed shed as depicted on the attached site plan.

(b) The portion of the drainage easement where the shed is to be placed must be vacated.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: